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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,244	09/12/2003	Lars Severinsson	03370-P0056A	8696

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ST. ONGE STEWARD JOHNSTON & REENS, LLC
986 BEDFORD STREET
STAMFORD, CT 06905-5619

EXAMINER

KRAMER, DEVON C

ART UNIT	PAPER NUMBER
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3683

DATE MAILED: 04/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/661,244

Applicant(s)

SEVERINSSON, LARS

Examiner

Devon C Kramer

Art Unit

3683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) 5, 11, 13 and 14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-10, 12, 15 and 16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/12/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

- 1) Applicant's election without traverse of species 1 in the reply filed on 1/5/05 is acknowledged.
- 2) Claims 5, 11 and 13-14 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 1/5/05.

Drawings

- 3) The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: the cap 30 cited on page 6 paragraph 25 is not found in the drawings. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

4) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5) Claims 1-4, 6-7, 9, 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Momoncheck (SU 1316881) in view of Rick (6000489).

In re claims 1-4, 6-7, 9, 15-16, Momoncheck provides a parking lock (13, 8) for a brake of a vehicle, the lock surrounding a piston rod (14) of a service brake actuator comprising an electrically actuated locking means (abstract), the parking lock unit comprises a magnetic housing, enclosing an electromagnet and a jaw (8), movable in a radial direction in the parking lock unit. Momoncheck lacks the teaching of the electromagnet moving a number of jaws.

Rick teaches moving a number of jaws (26) by use of an electromagnet to lock a shaft (28).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the jaw device of Momoncheck with multiple jaw devices as taught by Rick since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper CO. V. Bemis Co.*, 193 USPQ 8. Further, by providing a number of jaws, the shaft can be locked in a certain desired position for maintenance or to allow for wear of parts.

6) Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Momoncheck (SU 1316881) in view of Rick (6000489) and further in view of Stoll (4699042).

Rick teaches grooves in the form of threads on the jaws, but lacks grooves in the form of threads on the piston rod.

Stoll teaches grooves in the form of threads (32) on the piston rod.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the grooves of Momoncheck as modified by Rick in the form of threads as taught by Stoll to provide a means to lock the shaft from axial movement in any position.

7) Claims 1-4, 6-7, 10, 12, 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Momoncheck (SU 1316881) in view of Nemeth (6044934).

In re claims 1-4, 6-7, 10, 12, 15, Momoncheck provides a parking lock (13, 8) for a brake of a vehicle, the lock surrounding a piston rod (14) of a service brake actuator comprising an electrically actuated locking means (abstract), the parking lock unit comprises a magnetic housing, enclosing an electromagnet and a jaw (8), movable in a radial direction in the parking lock unit. Momoncheck lacks the teaching of the electromagnet moving a number of jaws.

Nemeth teaches moving a number of jaws (9) to lock a shaft (28) with return springs (18) to urge the jaws radially outward.

Art Unit: 3683

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the jaw device of Momoncheck with multiple jaw devices as taught by Nemeth since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper CO. V. Bemis Co.*, 193 USPQ 8. Further, by providing a number of jaws, the shaft can be locked in a certain desired position for maintenance or to allow for wear of parts.

Conclusion

8) The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Nelander, Kitamura, Klaiber et al, and Mainardi all provide locking devices for shafts or rods.

9) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Devon C Kramer whose telephone number is 571-272-7118. The examiner can normally be reached on Mon-Fri 8-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Marmor can be reached on 571-272-7095. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3683

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Devon C Kramer
Examiner
Art Unit 3683

DK

DEVON C. KRAMER
PATENT EXAMINER

Devon Kramer
4/14/05